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United Nations reform: measures and proposals

Letter dated 1 March 2006 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to transmit the statement of the Ministry of Foreign Affairs of Cuba (see annex).

The document condemns the threat of the United States delegation to request a vote on, and vote against, the draft resolution officially submitted by the President of the General Assembly to establish modalities for the Human Rights Council, even though it had been meticulously composed and was the product of behind-the-scenes negotiations aimed precisely at accommodating the main requirements of the United States of America, despite the knowledge that those requirements would not have the majority support of the Member States of the United Nations.

The truth about this new attack on multilateralism, the United Nations and the peoples of the South must be made known. Cuba warns that it will not be an accomplice to another incipient shady deal. It is vital at this time to stand up for justice, international law and much-needed international cooperation in promoting and protecting all human rights for all individuals.

I should be grateful if this letter and its annex could be circulated as a document of the General Assembly in connection with agenda items 71 and 118.

(*Signed*) Rodrigo **Malmierca Díaz**
Permanent Representative of Cuba to the United Nations

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Annex to the letter dated 1 March 2006 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of Cuba

28 February 2006

We are witnessing a new strike against multilateralism and the United Nations. The United States of America has threatened to request a vote on, and vote against, the draft resolution put forward on Thursday, 23 February by the President of the General Assembly of the United Nations to establish modalities for the Human Rights Council, the body destined to replace the current Commission on Human Rights. As is well known, the Commission on Human Rights was brought down by discredit because the Bush Administration and its allies and accomplices in the European Union politically manipulated its operation.

Yesterday — Monday, 27 February — the United States Ambassador to the United Nations, acting on orders from the hawks in the White House which went against the wishes of no less a body than the United States Congress, said that he had been instructed to reopen negotiations on the draft resolution, adding that, if attempts were made to adopt it in its existing form, he would ask for it to be put to the vote, and would vote against it.

Ironically, the draft resolution, due to be circulated today, 28 February, had been meticulously composed and was the product of behind-the-scenes negotiations with Washington's representatives aimed precisely at accommodating the super-Power's main requirements, despite the knowledge that those requirements would not have the majority support of the Member States of the United Nations.

Throughout the months of this process, the United States of America and its allies have placed enormous pressure on many third-world Governments, aiming to break their resistance to this new conspiracy. The Cuban Mission to the United Nations warned of the danger of this ploy in a press release of 20 February 2006.

Blackmail is the Bush Administration's only "argument". Its theories do not withstand debate. What kind of Human Rights Council is the United States of America trying to impose?

- One with membership requirements and conditions of a kind which would keep out any country in the front line of resistance to the aggression and hegemony of global imperialism. The United States of America is trying to convince everyone that the Commission on Human Rights was discredited because it included countries such as Cuba, even though quite the opposite is true, as everyone knows: Washington and the members of the European Union destroyed the Commission's credibility through politically motivated manoeuvring, including the unfair campaign against Cuba. We should remember that the United States was not elected to the Commission on Human Rights in 2001, in a protest vote by most of the world against its pressure and manipulation;

- One with fewer than the 53 members of the Commission on Human Rights. The United States claims to be aiming for a more manageable body, in other

words, a smaller entity in which United States pressure can be focused on fewer members, with greater impact and effect. In other words, it wants a Human Rights Council that it can manage more easily, one without countries which, like Cuba, call a spade a spade and defend the principles and dignity of peoples above all else;

- One in which candidate countries are forced to have the support of two thirds of the members of the General Assembly in order to succeed. This is an attempt by the United States of America to ensure that, with the complicity and support of a clear minority consisting of its close allies and those who bend to its will, it has a de facto power of veto over candidates which impede its desire for control over the Council's work. Imposing that requirement, which applies only to election to the principal organs of the United Nations — and the Human Rights Council is not a principal organ — would enable a minority of 64 States to bar any candidate from membership;

- One with wide punitive powers and substantial ability to impose penalties on the countries of the South, running counter to the pursuit of international cooperation in the field of human rights which the Charter of the United Nations assigns to the institutions responsible for such matters. The United States of America and the European Union will continue within the new Human Rights Council their customary political manipulation against the peoples of the developing world. Not for nothing do they refuse even to consider establishing clear criteria, to apply equally to all, when presenting resolutions regarding individual countries;

- One in which any member resisting the manoeuvring and pressure of the empire would be at permanent risk of having its rights suspended, thanks to the super-Power's pride, bitterness and arrogance;

- One which has close ties to the Security Council, an anti-democratic body on which the United States of America, as the sole super-Power, imposes its conditions;

- One with no explicit mandate to give priority attention to implementing the right to development, a demand vital to most of humanity. One which cannot adopt effective decisions against racism, racial discrimination, xenophobia and related forms of intolerance. One which focuses on civil and political rights in the way Washington understands them and one which, moreover and among other things, is used to legitimize torture, a practice which Washington theorists and hawks have spent so much time justifying.

Does the draft resolution put forward go against Washington's interests? Quite the opposite. The draft enshrines the drop in membership of the main human-rights body of the United Nations from 53 to 47; it increases the minimum number of votes needed to elect a candidate to 96, and it retains the option to impose resolutions against the countries of the South without adhering to any condition or criterion. It also allows members of the Council to be suspended with the support of two thirds of those present and voting at a meeting of the General Assembly, without establishing a threshold; it opens up the possibility that countries of the South may in future face not only the permanent threat of being condemned through a resolution, but also of having their rights in the Council suspended; it gives the Council the ability to respond rapidly to so-called human-rights emergencies which,

according to the self-appointed masters of the world, only happen in the South. That ability does not, however, apply to the serious, large-scale and sustained violations of human rights at the Guantánamo base detention centre, to the brutal torture at Abu Ghraib or to using secret Central Intelligence Agency flights to transport detainees for torture through democratic and civilized Europe; it enables special sessions of the Council to be called on the basis of the minority wish of one third of its members.

Does the draft resolution put forward by the President of the General Assembly favour the interests of the developing countries, to the detriment of Washington's desires? Absolutely not. Not one of the 28 paragraphs of the draft relates to concrete action to help overcome the current international order's obstacles to guaranteeing human rights for all, as article 28 of the Universal Declaration of Human Rights establishes. Not a single paragraph is entirely devoted to the right to development. The right to solidarity is entirely neglected. The draft resolution similarly fails to give peoples' right to peace the universal recognition it deserves.

The fundamental problem is not that the draft resolution put forward opposes, is incompatible with or simply fails to secure the interest in stability, credibility and legitimacy required by the scheme for global dominance established by the imperialist circles that hold power in the United States of America. The real aim of the final onslaught by the current United States Administration in the negotiations on the Human Rights Council is to translate into action, by means including the crudest blackmail, its desire and ability to impose its conditions on the ongoing reform and reshaping of the international system represented by the United Nations. The neo-conservatives in the Bush Administration have already begun a headlong rush to bring about the plan for world dominance contained in what is termed the Project for the New American Century.

Washington did not care about placing its European Union allies and accomplices once again in the ridiculous position of subordinating themselves to, and mirroring the actions of, the super-Power. Despite having said publicly that they were preparing to force through with great haste a draft resolution composed to accommodate Washington's unpopular demands and their own interests, which are just as spurious as those of their strict guardian, they hurriedly declared, as soon as Bolton's threatening statements became public, that if the United States stuck to its position, the establishment of the Human Rights Council should be postponed.

A number of European Union authorities have already stated that "it is not desirable to create a Council without the support of all the democracies of the world; therefore we have to try to attract the United States to our side".

The empire's European allies must already be hard at work trying to force the rest of the world into further concessions to satisfy the Bush Administration's thirst for dominance and pillage.

Ultimately, their ideological and political interests coincide with those of Washington, which has worked to convince them that their aims could never be achieved in Geneva without United States support.

In manipulating the universal interest in strengthening multilateralism, Washington, its allies and other Governments which are vulnerable to United States pressure are trying to continue to impose their conditions and force the rest of the

world to back down from the vital task of defending the central principles of the international system.

Multilateralism can only work on the basis of respect for the sovereign equality of States. A United Nations which allowed the super-Power to do as it wished in order to fulfil its desires for hegemony and its selfish interests would not be viable.

Cuba has played an active role in the debate on the reform of the Commission on Human Rights in a spirit of constructiveness and total transparency. At each stage of the process, it has put forward a number of proposals, many supported by existing language from the World Conference on Human Rights held in Vienna in 1993, or from successive Commission on Human Rights or General Assembly resolutions.

Cuba will continue its efforts to ensure that the aspects which were disregarded unfairly and against the will of most of the countries of the South are duly included in the draft resolution on which the General Assembly will be called upon to give its views. Such omissions seriously damage the chances of guaranteeing the establishment of a Human Rights Council which operates through genuine dialogue.

Cuba has worked hard to prevent the serious problems which undermined the credibility of the Commission on Human Rights from being transferred to the Human Rights Council. It will not be an accomplice to the silent conclusion of a new, incipient, shady deal between Washington and its main Western allies against the interests of the peoples of the South.

Cuba will keep up its principled condemnation of this new attack on the international system and the interests of the peoples of the South, and, as the circumstances demand, will act to defend justice, international law and much-needed international cooperation in promoting and protecting all human rights for all peoples and individuals.